

REMARKS

Applicant wishes to thank the Examiner for the attention accorded to the instant application, and respectfully requests reconsideration of the application as amended.

Claims 1-19 are pending in this application. Claim1 is currently amended. The paragraph beginning on page 2 line 16, and the paragraph beginning on page 3 line 11 are also amended.

Rejections of Claims under 35 U.S.C. §112

Claims 1-19 stand rejected under 35 U.S.C. §112 first paragraph as failing to comply with the written description requirement. The cited paragraphs have been amended to more fully clarify the term nullification. Line 18 on page 2 has been amended, replacing “in” with “to” as proposed by the Examiner. Thus, it is respectfully requested that the rejection of Claims 1-19 under 35 U.S.C. §112 first paragraph be withdrawn.

Claims 1-19 stand rejected under 35 U.S.C. §112 second paragraph as being incomplete for omitting essential elements. Claim 1 has been amended to more fully clarify the element from which the circuit is isolated. Thus, it is respectfully requested that the rejection of Claims 1-19 under 35 U.S.C. §112 second paragraph be withdrawn.

Rejection of Claims Under 35 U.S.C. §102

Claims 1-19 are rejected under 35 U.S.C. 102(b) as anticipated by Stewart et. al., U.S. Patent No. 6,933,848 (hereinafter “Stewart”). This rejection should be withdrawn based on the comments and remarks herein.

The present application teaches an ID tag which is automatically nullified without intentional nullification. See page 3 lines 11-14 of the present application. The nullification of the device in the present application is achieved through isolation of the circuit from the antenna, when a predetermined time limit for operation has reached after the start of use of the ID tag.

See Page 3, lines 19-24 of the present application. The nullification unit of the present application isolates the circuit which stores data from the antenna, which can be used to access the stored data thereby increasing security by not allowing access to the stored data for a period of time. The ID tag of the present application is automatically nullified, without an intentional nullification step which must be entered by an operator or signal device. See page 2 line 16-19 of the present application.

The Stewart reference uses an identification logic to identify the RFID tag and a confirmation logic for confirming an identity of the RFID tag as shown in figures 1 and 2, column 3 lines 10-33 and column 5 lines 9-15. The method and device in Stewart lacks at least 1 element claimed in proposed Claim 1, including isolating the antenna from the circuit when a predetermined time limit for operation has reached after the start of use of the ID tag. The Stewart reference relies on another stimulus through an identification logic and confirmation logic to render the RFID tag inoperable. Further the device of Stewart will not render the antenna isolated from the circuit when a predetermined time limit for operation has reached after the start of use of the ID tag, as described in column 2 lines 17-23 of Stewart. This lacking of all elements in the Stewart reference renders it an unsatisfactory anticipatory reference.


As amended, independent claim 1 recites that the nullification unit will isolate the circuit from the antenna, when a predetermined time limit for operation has reached after the start of use of the ID tag. This feature is not disclosed by the art of record in the application. Hence, this claim is not anticipated by the art of record in the application and is patentably distinguishable over this art. Further, the dependent claims incorporate the features and limitations of their base claims, so that these dependent claims are not anticipated by the art of record in the application,

and are patentably distinguishable over this art, for at least the reasons that their base claims are not anticipated by the art of record in the application.

Thus, it is respectfully requested that the rejection of Claims 1-19 under U.S.C. §102(b) be withdrawn.

For at least the reasons set forth in the foregoing discussion, Applicant believes that the Application is now allowable, and respectfully requests that the Examiner reconsider the rejection and allow the Application. Should the Examiner have any questions regarding this Amendment, or regarding the Application generally, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'P. Esatto, Jr.', written over the printed name.

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